T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			30-Mar-06	APPL. S. N:	10681430					
To Exam	iner:		LE, DANH	Art Unit	2617					
From			Jefferson, Henry PARALEGAL SPCECIALIS	Return This Memo To: C T Drop-Off Location	JEF-2D68					
SUBJEC [.]	T: Decisio	n on Terminal	Disclaimer(T.D.) filed:							
form par or have a	agraphs i any quest	dentified by th ions, please se	is informal memo in your se me or the Special Prog	the results as set forth below. If next Office action to notify appli ram Examiner. THIS IS AN INFO ED OF RECORD IN THE APPLICAT	cant of the T.D. If you disagro RMAL, INTERNAL MEMO ONLY	ee ′.				
please in	itial, date	and return th	is memo to me. THANK Y	ou.	•					
I	The T.D.	o. is PROPER and has been recorded (see 14.23).								
	The T.D.	is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):								
		The TD fee of use of a depo		ubmitted nor is there any authori	zation in the application file f	or the				
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).								
			s the enforceable only dur ing rejection, Rule 321(b	ring common ownership clause –) (see 14.27.01).	needed to overcome a non-s	tatutory				
				m(s), which is not acceptable sin to be granted" (MPEP 1490) (se		r a terminal				
		The person w	ho signed the T.D.:							
		is no	ot an attorney "of record"	(see 14.29 and 14.29.01).	- ·					
		has	failed to state his/her cap	acity to sign for the business en	tity (see 14.28).					
		is no	ot recognized as an office	r of the assignee (see 14.29 & po	ossible 14.29.02).					
		nor is the ree (see 37 CFR 3	I and frame number speci 3.73(b) and 1140 O.G. 72	title from the original inventor(s fied as to where such evidence is). NOTE: This documentary evid o. or in a separate paper of recor	recorded in the Office ence or the specifying of the I	reel and				
		The T.D. is no	ot signed (see 14.26 & 14	.26.03).						
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).								
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).								
		The period dis	sclaimed is incorrect or no	ot specified (see 14.26, 14.27.02	or 14.26.03).					
		Other:								
		and do not ch	eck this item.	36). NOTE: If already authorized,		unt				
I have a	opropriate	ely notified app	olicant(s) of the status of	the Terminal Disclaimer filed in t	his case.					
Ex.Initial	s:	Date	e:		Log Date:					
					,					

Application Number	10/681,430	. 1	Applicant(s)/Patent (Reexamination	under				
Document Code - DISQ		Internal Doc		cument – DO NOT MAIL				
TERMINAL DISCLAIMER	☑ APPROVED		☐ DISAPP	☐ DISAPPROVED				
Date Filed : November 4 2005	This patent is subject to a Terminal Disclaimer							
Approved/Disapproved by:								
Henry D. Jefferson								

U.S. Patent and Trademark Office



MARINE S	U.S. Patent and Trademark (PTO/SB/26 (09-04) for use through 07/31/2006. OMB 0651-0031 Office; U.S. DEPARTMENT OF COMMERCE						
	NOTE REDUCTION ACT OF 1995, NO PERSONS ARE REQUIRED TO RESPOND TO A CORRECTION OF INFORMATION UNITED TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) 33023US1						
In re Application of:	Tetsuya Kubo							
Application No.:	10/681,430							
Filed:	October 8, 2003							
For: PORTABLE 1	ELEPHONE APPARATUS AND CONTROL METHOD THEREOF							
The owner. Matsushita Electric Industrial Co., Ltd. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,728,558 B1 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior								
patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.								
Check either box 1 o	r 2 below, if appropriate.							
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.								
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the united States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.								
2. The unders	igned is an atternal or egent of record. Reg. No. 48.540							
	1//2/1//	November 2, 2005						
	Signature	Date						
	Robert F. Bodi							
	Typed or printed name							
		(216) 579-1700						
✓ Terminal of	likelahimar foo undar 27 CED 4 20/d) inshirdad	Telephone Number						
✓ Terminal disclaimer fee under 37 CFR 1.20(d) included. WARNING: Information on this form may become public. Credit card information should not								
be included on this form. Provide credit card information and authorization on PTO-2038.								
	CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). y be used for making this certification. See MPEP § 324.							

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Peternt and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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